

PPM 310

CLIENT ASSISTANCE PROGRAM

(CAP)

CONTENTS

Purpose

Policies and Procedures

- 310-01. Administration of the CAP**
- 310-02. Services Provided by the CAP to the VR Program**
 - 1. Membership on the Commission on Rehabilitation Services**
 - 2. VR Policy and Procedure Development and Implementation**
 - 3. State Plan Administration and Matters of General Policy**
- 310-03. Services Provided by the CAP to VR Consumers**
- 310-04. CAP Notification Requirements**
 - 1. General Requirements**
 - 2. Specific Notification Points**
- 310-05. Release of Confidential VR Information to the CAP**

PURPOSE

The [Client Assistance Program \(CAP\)](#) has been established by the [Rehabilitation Act of 1973](#), as amended, in order to inform, advise, and advocate for individuals with disabilities with regard to the programs, services, and rights available to them under the [Rehabilitation Act of 1973](#), as amended (“the Act”), and title I of the [Americans with Disabilities Act \(ADA\)](#) of 1990.

[AUTHORITY: Federal regulations, 34 CFR 370.1]

POLICIES AND PROCEDURES

310-01. Administration of the CAP

The CAP is administered in Indiana by [Indiana Protection & Advocacy Services \(IPAS\)](#), an independent state government agency separate from VR.

[AUTHORITY: Rehabilitation Act, 29 U.S.C. 732(c)(1)(A)]

310-02. Services Provided by the CAP to the VR Program

The CAP and VR work cooperatively in several ways to assure that VR [consumers](#) are able to learn about, access, and receive [vocational rehabilitation services](#) and benefits in a manner that is equitable and effective.

1. Membership on the Commission on Rehabilitation Services

The [Commission on Rehabilitation Services](#) of VR must include in its membership at least one representative of the CAP, who may be the director of the CAP or any other individual designated by the CAP.

2. VR Policy and Procedure Development and Implementation

The VR program must consult with the director of the CAP prior to adopting any substantive policies or procedures affecting the provision of vocational rehabilitation services, including any new or revised policies and procedures.

3. State Plan Administration and Matters of General Policy

VR must also solicit and consider the views of the director of the CAP with regard to matters of general policy arising from the administration of the State Plan and the provision of vocational rehabilitation services.

[AUTHORITY: Federal regulations, 34 CFR 361.17(b)(1); 361.20(d); 361.21; 370.42]

310-03. Services Provided by the CAP to VR Consumers

In addition to its collaborative efforts with the VR program, the CAP also provides services directly to [applicants](#), [eligible consumers](#), and other individuals with disabilities who are seeking and receiving vocational rehabilitation (VR) services—especially individuals with disabilities who have traditionally been unserved or underserved by vocational rehabilitation programs.

1. The CAP advises and informs applicants, eligible consumers, and other individuals in the state regarding:
 - A. all services and benefits available to them through programs authorized under the Rehabilitation Act of 1973, as amended; and
 - B. their rights in connection with those services and benefits;
2. The CAP also advises and informs individuals with disabilities in the state of the services and benefits available to them under title I of the Americans with Disabilities Act (ADA) of 1990.
3. If requested to do so by a VR applicant or eligible consumer, the CAP can assist and advocate on behalf of consumers in their relationships with projects, programs, and [community rehabilitation programs \(CRPs\)](#) that provide services under the Act, through individual or systemic advocacy, assistance and advocacy on behalf of consumers in their pursuit of administrative, legal, and other available remedies, as may be necessary to—
 - A. assure the protection of consumers’ rights under the Act, and
 - B. facilitate access by individuals with disabilities and individuals with disabilities who are making the transition from public school programs to services funded under the Act; and
4. provide information to the public concerning the CAP.

310-04. CAP Notification Requirements

1. General Requirements

Each VR consumer must be notified regarding the availability of the CAP, the services provided by the CAP, and the means by which the CAP can be contacted for assistance. Such notifications must be provided by the VR Counselor in writing, supplemented, as needed, by [appropriate modes of communication](#). The written notification requirement is met by providing each consumer with a copy of “The Road to Work,” which includes a discussion of the CAP, and later references to the CAP material included in the handbook at appropriate points during the consumer’s participation in the VR program.

2. Specific Notification Points

Notifications and discussions regarding the CAP are a required part of the information and referral services provided to VR consumers, and must be provided by VR at specific points identified by law and agreement between the CAP and VR, including:

- A. at the time the consumer applies for VR services;
- B. if the VR program is operating under an [order of selection \(OOS\) procedure](#), when the consumer is assigned to an OOS priority for services category;
- C. if an applicant is determined to be ineligible, or an eligible consumer is determined to be no longer eligible, for VR services;
- D. during the development and prior to implementation of an [individualized plan for employment \(IPE\)](#);

E. whenever a consumer requests a formal review of a VR determination through mediation or an impartial due process hearing;

F. when a consumer's VR services are reduced, suspended, or terminated;

G. at any other time a consumer requests CAP information or the VR Counselor determines that referral to the CAP is appropriate.

3. Documentation of Notification

Counselors must document each CAP notification provided in the consumer's record of services by an appropriate case note.

[AUTHORITY: Federal regulations, 361.43(c); 361.45(c)(2)(iv); 361.48(d); 361.57(b)(1)(v); 361.57(b)(2); 363.56; 370.7; state agency policy, 34 CFR 361.39]

310-05. Release of Confidential VR Information to the CAP

1. VR consumers must provide prior informed written consent before confidential VR consumer information can be disclosed to the CAP.

2. VR can release to the CAP only that information in its possession that can be disclosed to the consumer or a consumer representative. Disclosure of confidential information is made only under assurances that the information provided to the CAP will not be further disclosed and that it will be used only by the CAP in the performance of its lawful duties and in accordance with the requirements described in federal regulations at 34 CFR 361.38(e) and 370.48.

3. VR will not charge the CAP any copying fee for the reproduction of any materials requested by the CAP for which informed consent has been provided by the consumer.

[AUTHORITY: Federal regulations, 361.38(e); 370.48; state agency policy, 34 CFR 361.39]

